

PROCEEDINGS OF THE BROWN COUNTY
PLANNING, DEVELOPMENT & TRANSPORTATION COMMITTEE

Pursuant to Section 19.84 Wis. Stats., a joint meeting of the **Brown County Planning, Development & Transportation Committee and Solid Waste Board** was held on Monday, March 16, 2009 at the Materials Recycling Center, 2561 South Broadway, Green Bay, WI

SOLID WASTE BOARD ROLL CALL:

Jim Rasmussen, Chair	<u>Exc</u>	Norbert Dantine	<u>X</u>
Mike Strenski, Vice Chair	<u>X</u>	John Katers	<u>Exc</u>
Charles Rhynder, Secretary	<u>X</u>	Hallett "Bud" Harris	<u>X</u>
Dawn Goodman	<u>X</u>	Allison Swanson	<u>Exc</u>
Mike Fleck	<u>X</u>		

Present: Bernie Erickson, Norb Dantine, Mike Fleck, Dan Haefs, Dave Kaster.
Also Present: Chuck Larscheid, Wess Damro, Chad Doverspike - Port & Solid Waste Dept.
Fred Mohr, Board Attorney; Dale DeNamur – Purchasing Dept.;
Lynn Vanden Langenberg – Administration; Joe Hollatz – Badgerland Express;
Other Interested Parties

1. CALL MEETING TO ORDER:

The meeting was called to order by Chairman of the Planning, Development and Transportation Committee, Bernie Erickson, at 3:07 p.m.

2. APPROVE/MODIFY AGENDA:

A motion was made by Supervisor Fleck and seconded by Supervisor Kaster to approve. Vote taken. MOTION CARRIED UNANIMOUSLY.

3. INTRODUCTION OF THOSE IN ATTENDANCE.

4. APPROVAL OF THE WASTE TRANSFER STATION OPERATION AND WASTE HAULING BID:

A motion was made by Supervisor Dantine and seconded by Supervisor Fleck to approve.

Solid Waste Director, Chuck Larscheid, informed the Solid Waste Board (SWB) members that this was originally the RFP that they passed back in Dec 08. The RFP then went to the Planning, Development & Transportation Committee and as a committee it was decided the RFP should go forward as a bid and not an RFP. The hauling bid was put together by the Purchasing Dept. in which a lot of the information is similar. County Board will approve the results of this bid.

Doverspike stated that the majority of the bid is the same with the exception of dates and the change of placement of items that were on the previous RFP. In Attachment A, items that were felt not noticed last time around were bolded. Mohr stated that one other change that was made that was an issue was the fuel adjustment formula under Attachment B. The change would better reflect the actual cost.

DeNamur stated under article 5 of the bid document, that per conversation with a bond writing company, it was determined that the requirement for a performance payment bond will be changed to a contract bond. If current contractor fails, the bond company would be responsible to hire a temporary contractor. A contract bond will cover any cost differences from what the County was previously paying, up to \$500,000.00, while the County seeks out a new contractor. Doverspike interjected that a Performance Payment Bond would be required to cover the full cost (\$1.5 – 2 million) for year one of the contract.

Board Attorney, Fred Mohr, stated that in essence the bond is pass through costs. What they did was reduce it so the cost to the County would be less. The County is covered at half a million and it leaves the option open to require a bond after year one. It was felt that they could evaluate the winning bidder by that time and an intelligent decision could be made on whether or not they would continue to pay that bond.

Larscheid explained that the reason the landfills were listed on Attachment A was because of the joint Solid Waste Agreement with Brown County, Outagamie and Winnebago County. Currently they are hauling to Winnebago County landfill. They are on a rotation of landfills and in mid 2011, Winnebago County Landfill will close and they will begin hauling to Outagamie County, which is almost half the distance. There is a swap agreement with Veolia Hickory Meadows Landfill. Veolia was hauling waste from the Omro area to their own landfill in Chilton but approached Brown County a couple years ago stating if they hauled it to the Winnebago County landfill, it would save them distance. They wanted to keep their waste internal so if they hauled 100,000 tons to Winnebago, they could get the system to replace the 100,000 tons to the Chilton Landfill that is closer. Brown County receives \$1.50 a ton rebate from Veolia in return.

In regards to number two, item 13 of Attachment A re: hand picking of recyclables, it is a DNR rule that it is not allowed. Larscheid stated that he felt they had to put in the agreement what is in accordance with the state law. DNR would have to amend a license to allow the selected vendor to process so someone picking waste mechanically or by hand is against the Operation and Solid Waste Hauling permit. If someone can give a decent enough proposal, that they can do it a certain way mechanically, the Solid Waste Dept. will submit it to the DNR and the DNR may then approve a permit change to allow it, but they will not allow it to be hand picked.

Haefs referred to the contract where it stated that a contractor shall have five years of experience and he questioned if everyone that was interested, had that experience? He was concerned that new companies will have trouble starting up their business if there are experience limitations or if a company is eliminated all together because of this requirement. Haefs stated there should be some sort of subjectivity here. He suggested having contractors submit their statement of experience. Larscheid responded that they were not aware of anyone that would be disqualified from the original group. Their concern was that a hauler should have to know the rules of road and know how to work with road weight limits, etc. There is comfort knowing there is some experience, and they thought five years included everyone. Larscheid explained that they put five years in the agreement because they commonly see it in hauling, but he believed there

wouldn't be a problem if they decided to lower that number.

A motion was made by Supervisor Fleck and seconded by Supervisor Kaster to suspend the rules to have interested parties speak. Vote taken. MOTION CARRIED UNANIMOUSLY.

Joe Hollatz – Badgerland Express, Inc., Green Lake

Hollatz stated that he would like clarification regarding the five year experience because they are the current hauler and they do not have five years experience, the company was only started a year ago. Larscheid stated that Badgerland was Mr. Hollatz mother's company and she had been in business for over five years and has the required hauling experience. Hollatz questioned whether the owner was to have the experience, or the business.

A motion was made by Supervisor Dantine and seconded by Supervisor Kaster to return to regular order of business. Vote taken. MOTION CARRIED UNANIMOUSLY.

Mohr suggested amending paragraph five by a motion to provide verbiage stating "entity or principal owner shall have minimum of five years hauling experience."

Kaster felt that if a company was able to get insurance and they qualify for a bond, then he would think that should be enough of a requirement. Mohr agreed and felt that they could take the clause out, stating that someone needs to qualify for a bond and if they don't have efficient experience, then the cost of the bond would be so high that they couldn't possibly win the bid.

A motion was made by Supervisor Haefs and seconded by Supervisor Kaster to have the Purchasing Department amend the document to read "the entity or principal owner shall have a minimum of three years hauling experience." Vote taken. MOTION CARRIED UNANIMOUSLY.

A motion was made by Supervisor Dantine and seconded by Supervisor Kaster to approve the bid as amended. Vote taken. MOTION CARRIED UNANIMOUSLY.

A motion was made by Solid Waste Board Secretary, Charles Rhyner and seconded by Solid Waste Board Member, Bud Harris to approve the bid as amended. Vote taken. MOTION CARRIED UNANIMOUSLY.

5. APPROVE RESOLUTION RE: OPPOSING WISCONSIN RECYCLING AND SOLID WASTE FEE INCREASES:

Larscheid referred to the resolution and stated that it had been explained in the resolution where this was coming from and briefly went over it with the committee. He explained that the communities were informed and they had notified them that it was being brought forward to the Solid Waste Board and County Board. If the State follows through with these increases, there will be a request to the Solid Waste Board and County Board that they pass the increases along to the customers because the BC Transfer Station is just breaking even right and can't afford to lose more money. Larscheid stated that the increase of fees would be an extra \$600,000 to \$700,000 cost to the County per year.

Haefs questioned whether this will do any good stating he had been on the County Board for 18 years and he had never seen a State Representative grace the halls of the County Board.

Larscheid responded that he suspected that it would be treated as an emergency type thing. He explained that it would also give justification when going to their communities that they did try to fight this. Larscheid felt that every community he talked to was on board, and he felt if it is a unanimous opposition it will get the attention deserved.

A MOTION WAS MADE BY SUPERVISOR HAEFS AND SECONDED BY SUPERVISOR FLECK TO APPROVE THE RESOLUTION. Vote taken. MOTION CARRIED UNANIMOUSLY.

6. REVIEW OF FUEL PAYMENTS TO CURRENT WASTE HAULER AT TRANSFER STATION. (RECOMMENDATION FROM SOLID WASTE BOARD.):

Larscheid explained that the Solid Waste Board had passed a motion to amend the current purchase order to the waste hauler. They had made a motion to approve Attachment B of Project 1352 and take the fuel surcharge as written in the bid, and apply it from December 1, 2008 through the end of the current contract. This will apply the new formula in Contract 1352 to the existing contract from December 1, 2008 to the end of the contract. This will refund difference between what was deducted vs. what should have been deducted under the new contract.

A motion was made by Supervisor Dantine and seconded by Supervisor Fleck to suspend the rules to have interested parties speak. Vote taken. MOTION CARRIED UNANIMOUSLY.

Erickson would like for the record that the motion made by the Solid Waste Board had been acceptable from the hauler. Hollatz agreed.

A motion was made by Supervisor Dantine and seconded by Supervisor Fleck to return to regular order of business. Vote taken. MOTION CARRIED UNANIMOUSLY.

A motion was made by Supervisor Dantine and seconded by Supervisor Fleck to approve the recommendations from the Solid Waste Board. Vote taken. MOTION CARRIED UNANIMOUSLY.

7. SUCH OTHER MATTERS AS AUTHORIZED BY LAW:

Larscheid thanked the Solid Waste Board and the Planning, Development & Transportation Committee for being able to meet at this time.

Supervisor Dantine questioned why the Waste Transfer Station Hauling and Operation Contract was a bid and why the Recyclables Hauling Contract was a quote. Discussion ensued and it was determined that the Recyclable Hauling Contract will be issued as a bid.

Motion made by Supervisor Fleck and seconded by Supervisor Kaster to adjourn at 4:00 p.m. MOTION APPROVED UNANIMOUSLY

Motion made by Solid Waste Board Secretary, Rhynder and seconded by Solid Waste Board member, Bud Harris to adjourn at 4:01p.m. MOTION APPROVED UNANIMOUSLY

Respectfully submitted,
Alicia A. Loehlein
Recording Secretary

Joint Solid Waste Board & PD&T Committee Meeting
March 16, 2009